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THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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DATED: 05-09-2005

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WRIT PETITION No.19607 OF 2005

Between:

Galem Laxminarayana and another . . .Petitioner

And

The Govt. of A.P. and others . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.19607 OF 2005

O R D E R:

The petitioners claim that they own agricultural lands in the scheduled area. They complain that the fifth respondent and his followers are interfering with their possession. They contend that they submitted a complaint before respondents 1 to 4 seeking protection, but no steps were taken by them. They seek appropriate directions in this regard.

Heard the learned counsel for the petitioners and the learned Government Pleader for Tribal Welfare.

Even assuming that the petitioners are absolute owners of the landed properties in the scheduled area and the fifth respondent is interfering with their possession, it is not as if they are without any remedy. They can file a suit for the relief of perpetual injunction and obtain an order of temporary injunction, duly satisfying the Court in which, it is filed. Even where the order of injunction is not honoured by the defendants in that suit, various other remedies, such as, filing applications for violating the orders of temporary injunction or filing applications for police protection, can be availed. At any rate, this Court cannot direct respondents 1 to 4 to accord protection to the petitioners in the matter of enjoying the proprietary rights over the land in question.

For the foregoing reasons, the writ petition is disposed of leaving it open to the petitioners to seek appropriate remedy before Civil Court in accordance with law.

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(L.NARASIMHA REDDY, J)

5th SEPTEMBER, 2005.

Note: furnish copy in two days.

B/o

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